

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

At the outset, Applicants note with appreciation Examiner Douglas Owens and Primary Examiner Steven Loke's willingness to discuss the present application with Applicants' representatives, Chien Yuan and Christopher Ward, in a personal interview, which was conducted on December 10, 2003.

Claims 1-8, 15, and 17-22 are currently pending. Claims 1-4, 7, 15, 17 and 18 have been amended by the present amendment. Support for amended Claims 1, 7, and 15 are supported at least by the claims in their original form and by Figure 1 and its corresponding description. Further, Claims 1-4, 15, 17, and 18 have been amended to remove all instances of the term "so". No new subject matter has been introduced by these changes.

In the Office Action, Claims 15 and 17-22 were objected to for informalities. Claims 1-8 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-8, 15, and 17-22 were rejected under 35 U.S.C. § 112, second paragraph for being indefinite. Claims 1 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Karasawa et al. (U.S. Patent No. 6,320,234; hereinafter "Karasawa") in view of admitted prior art and Irinoda (U.S. Patent No. 5,726,499).

Regarding the objections to Claims 15 and 17-22, the present amendment amends Claims 1-4, 15, 17, and 18 to remove all instances of the term "so". Accordingly, Applicants submit that the concerns expressed in the Office Action as to this matter have been sufficiently addressed.

Regarding the rejection of Claims 1-8 under 35 U.S.C. § 112, first paragraph, Applicants submit that the foregoing amendment to Claim 1 overcomes this rejection. Specifically, amended Claim 1 recites "a silicon nitride film formed on all upper surfaces of

said first oxide film,” which is described in Applicants’ specification at least in Figure 1 and its corresponding description. Amended Claim 1 was presented during the personal interview, and the Examiner indicated that the proposed changes would overcome the rejection under 35 U.S.C. § 112, first paragraph.

Regarding the rejection of Claims 1-8, 15, and 17-22 under 35 U.S.C. § 112, second paragraph, Applicants submit that the foregoing amendments to Claims 1 and 15 overcome this rejection.

Specifically, Amended Claim 1 recites “a silicon nitride film formed on all upper surfaces of said first oxide film,” which Applicants submit is definite and distinct claim language. Amended Claim 1 was presented during the personal interview, and the Examiner indicated that the proposed changes would overcome the rejection under 35 U.S.C. § 112, second paragraph.

Further, Amended Claim 15 recites “contact holes which are formed as to penetrate said *interlayer insulating film* and said silicon nitride film” (emphasis added). Applicants submit that sufficient antecedent basis exists for the recitation “interlayer insulating film” and that the language of Claim 15 is now definite and distinct.

In response to the rejections of Claim 1 and 7 under 35 U.S.C. § 103(a), Applicants submit the suggested combination of Karasawa, Applicants’ admitted prior art (AAPA), and Irinoda fails to teach or suggest amended Claim 1. Amended Claim 1 was presented during the personal interview, and the Examiner indicated that the proposed changes appear to overcome the rejection under 35 U.S.C. § 103(a).

Specifically, the suggested combination of Karasawa, AAPA, and Irinoda fails to disclose “a silicon nitride film formed on all upper surfaces of said first oxide film,” as recited in amended Claim 1. Neither Karasawa nor AAPA disclose the use of a silicon

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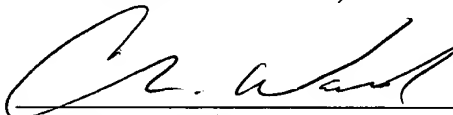
nitride film at all, and Irinoda depicts a silicon nitride film 104 that is only partially formed on the upper surfaces of an insulation layer 102.¹

As such, Applicants respectfully submit that amended Claim 1 is patentable over the suggested combination of Karasawa, AAPA, and Irinoda. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 1, and its dependent Claim 7, under 35 U.S.C. § 103(a).

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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¹ Irinoda at Figure 7.